

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Special Session (Executive Session) on this the 20th day of January, 2004 at 6:30 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 6:35 p.m.

ITEM 1. EXECUTIVE SESSION

Mayor Tate announced the City Council would conduct a closed session regarding:

(A) discuss legal issues with the City Attorney on matters that the attorney is required by the Code of Professional Responsibility to provide on a confidential basis and

(B) conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate and expand in the City; with which businesses the City is conducting economic development negotiations

under Sections 551.071 and 551.087, Texas Government Code.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Roger Nelson stated there was no action necessary relative to the closed session under Sections 551.071 and 551.087, Texas Government Code.

NOTE: City Council continued with the Regular City Council meeting in open session in the Council Chambers.

ADJOURNMENT


Council Member Wilbanks, seconded by Council Member Spencer, offered a motion to adjourn the meeting at 8:31 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

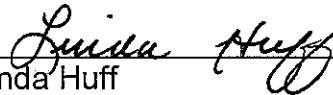
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of February, 2004.

APPROVED:



William D. Tate
Mayor

ATTEST:



Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 20th day of January, 2004 at 7:30 p.m. in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
Ted R. Ware	Mayor Pro Tem
Sharron Spencer	Council Member
C. Shane Wilbanks	Council Member
Clydene Johnson	Council Member
Roy Stewart	Council Member
Darlene Freed	Council Member

constituting a quorum, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Herbert Fry	Vice Chairman
Chris Coy	Member
Danette Murray	Member
Betty Wilson	Member
Rob Undersander	Member
Becky St. John	Alternate
Paul Jennings	Alternate

constituting a quorum, with the following members of the City Staff:

Roger Nelson	City Manager
Bruno Rumbelow	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Linda Huff	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:40 p.m.

INVOCATION

Commissioner Undersander delivered the Invocation.

ITEM 1. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU03-44
DAVENPORT MOTORS

Mayor Tate declared the public hearing open.

Planner Ron Stombaugh reported Conditional Use Application CU03-44 had been filed by Davenport Motors requesting a conditional use permit for an automotive repair facility on property located at 2421 Ira E. Woods Avenue. The property is zoned "CC" Community Commercial District Regulations. Mr. Stombaugh advised that a ¾ vote of the Council would be required for approval due to 25.89% of property owners within 200 feet of the subject property opposing the conditional use permit.

Mr. David Davenport requested favorable consideration of the application. The proposed auto repair facility would specialize in the mechanical repair and maintenance of Lexus vehicles. No auto body repair or painting would be done on the premises.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. City Secretary Huff reported the Council and Commission had been copied the seven letters opposing and three letters supporting the application.

Mr. Jason Gatts, property owner at 2301 Ira E. Woods Avenue, stated opposition to the conditional use citing concerns regarding fumes, traffic and property values.

Mr. Perry Cox spoke on behalf of Mr. Jim Lancaster, property owner of 2321 and 2401 Ira E. Woods Avenue, stating opposition due to fumes, hazardous chemicals, outside storage and noise.

Commissioner Murray, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Murray, Wilson, Undersander & Jennings
Nays: None

Council Member Stewart, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 2. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU03-54
FINAL PLAT LOT 1R, BLOCK 1, M & H ADDITION, REPLAT OF LOT 1,
BLOCK 1, M & H ADDITION AND LOTS 5 AND 6, BLOCK 1 HILLTOP
ADDITION

Mayor Tate declared the public hearing open.

Planner Stombaugh reported Hayes Truck Leasing had filed Conditional Use Application CU03-54 and the application for the final plat of Lot 1R, Block 1, M & H Addition being a replat of Lot 1, Block 1, M & H Addition and Lots 5 and 6, Block 1, Hilltop Addition. The property is located at 316 East Dallas Road and is zoned "LI" Light Industrial District. The conditional use application requests a conditional use permit to amend the site plan approved by Ordinance No. 99-80 to expand the existing structure by the addition of a 2,400 square foot office facility and the addition of 0.713 acres to the site for employee parking.

Mr. Ron Hamm requested favorable consideration of the application noting there would not be any truck storage and that a masonry screening fence would be installed on Nash Street.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and City Secretary Huff reported the Council and Commission had been copied the two letters of support for the application.

Commissioner Coy, seconded by Commissioner Murray, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Murray, Wilson, Undersander & Jennings
Nays: None

Council Member Freed, seconded by Council Member Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 3. PUBLIC HEARING, ZONING APPLICATION Z03-10
FINAL PLAT LOTS 1 AND 2, BLOCK 1, HOUSE OF COLORS ADDITION
REPLAT OF LOTS 1, BLOCK 1, PORTION OF LOTS 5, 9 AND 10, BLOCK
1 AND PORTION OF LOT 23, BLOCK 1, ORIGINAL TOWN OF
GRAPEVINE

Mayor Tate declared the public hearing open.

Planner Stombaugh reported that House of Colors had filed applications for Zoning Application Z03-10 and the final plat of Lots 1 and 2, Block 1, House of Colors Addition being a replat of Lot 1, Block 1, a portion of Lots 5, 9 and 10, Block 2 and a portion of Lot 23, Block 1, Original Town of Grapevine. The zoning application requests rezoning of approximately 0.23 acres located at 317 South Church Street from "R-TH" Townhouse District to "CBD" Central Business District for an art school and studio.

Mr. Francois Arenas requested favorable consideration of the application.

Brief discussion ensued relative to the existing Commercial zoning on Church Street.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and City Secretary Huff reported the Council and Commission had been copied the one letter of support for the application.

Commissioner Fry, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Murray, Wilson, Undersander & Jennings
Nays: None

Council Member Johnson, seconded by Council Member Stewart, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 4. PUBLIC HEARING, AMEND GRAPEVINE CODE OF ORDINANCES, APPENDIX D, COMPREHENSIVE ZONING ORDINANCE NO. 82-73, AS AMENDED, SECTION 36 "PCD" PLANNED COMMERCE DEVELOPMENT DISTRICT

Mayor Tate declared the public hearing open.

Planner Stombaugh reviewed the proposed amendments to the Grapevine Code of Ordinances, Appendix D, Comprehensive Zoning Ordinance No. 82-73, as amended, Section 36 "PCD" Planned Commerce Development District relative to signage for hotels in excess of 500 rooms.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Murray, seconded by Commissioner Fry, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Coy, Fry, Murray, Wilson, Undersander & Jennings
Nays: None

Council Member Freed, seconded by Council Member Johnson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

ITEM 5. PUBLIC HEARING, 30th YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Mayor Tate declared the public hearing open.

Assistant Director of Public Works/Engineering Stan Laster reviewed the scope of the proposed 30th Year Community Development Block Grant (CDBG) Program which is the reconstruction of Worth Street between Smith Street and Dooley Street. The City is proposing a total contribution of funds in an amount not to exceed \$48,440.00 for the project including \$22,405.00 from the 29th Year Application.

Mayor Tate invited guests present to comment regarding the program. No one wished to speak and there was no correspondence to report.

Council Member Johnson, seconded by Mayor Pro Tem Ware, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Council Member Johnson, seconded by Council Member Spencer, offered a motion to authorize Staff to proceed with the submittal to Tarrant County. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 6. AMEND FACILITY RESERVATION POLICY, BOTANICAL GARDENS WEDDING & RECEPTION POLICY, MAIN STREET GAZEBO WEDDING POLICY AND ASSOCIATED FEES

Parks & Recreation Superintendent Chris Smith reviewed the proposed modifications to the Facility Reservation Policy, Botanical Gardens Wedding & Reception Policy, Main Street Gazebo Wedding Policy and associated fees. Discussion ensued relative to the

proposal allowing only two weddings at the Botanical Gardens during a month.

It was the consensus of the Council to table the item for Staff to provide a report regarding the usage of the Botanical Gardens facility.

This item was discussed again after Item 28.

Mayor Pro Tem Ware requested the City Council reconsider approval of the Facility Reservation Policy, Main Street Gazebo Wedding Policy and associated fees and to allow Staff to prepare a report relative to the usage of the Botanical Gardens.

Following brief discussion, Mayor Pro Tem Ware, seconded by Council Member Wilbanks, offered a motion to approve the Facility Reservation Policy, Main Street Gazebo Wedding Policy and associated fees and to table the Botanical Gardens Wedding and Reception Policy. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

CONSENT AGENDA

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. There were none.

Item 7. Developer Contract, Drainage Issues, Property Surrounded by FM2499, Grapevine Mills Boulevard North and State Highway 121

Public Works Director recommended approval of a Developer Contract addressing drainage issues on property bordered by FM2499, Grapevine Mills Boulevard North and State Highway 121 and authorization for Staff to execute said contract.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 8. Change Order No. 2 Dove Loop Construction Project

Public Works Director recommended approval of Change Order No. 2 to the Dove Loop Construction Project in the amount of \$185,677.82 and authorization for Staff to execute said change order.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 9. Ordinance, Abandon Utility Easement, Hidden Lakes Estates Phase Two

Public Works Director recommended approval of an ordinance abandoning a ten-foot utility easement located across the rear of Lot 24, Block 2, Hidden Lakes Estates Phase Two.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ORDINANCE NO. 2004-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ABANDONING AND VACATING A PORTION OF A UTILITY EASEMENT IN THE CITY OF GRAPEVINE, TEXAS AS HEREINAFTER DESCRIBED; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 10. Amend Engineering Services Contract, Church Street and Dooley Street, HDR, Incorporated

Public Works Director recommended approval of an amendment to the Church Street and Dooley Street Engineering Services Contract with HDR, Incorporated in the amount of \$54,300.00 and authorization for Staff to execute said amendment.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 11. Change Orders No. 3, 4 and 5, Creek 23/17 Construction Contract

Public Works Director recommended approval of Change Orders No. 3, 4 and 5 to the Creek 23/17 Construction Contract in the amounts of \$2,402.53, \$6,293.60 and \$57,477.37, respectively, for various items required during the construction of the project and authorization for Staff to execute said change orders.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 12. Renew Interlocal Agreement, Fleet Services Maintenance, City of Colleyville

Public Works Director recommended renewal of an interlocal agreement with the City of Colleyville for provision of services to maintain the City of Colleyville's fire protection vehicles by the City of Grapevine Fleet Services Division and authorization for Staff to execute said agreement.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 13. Telecommunications Long Distance Services Contract, SBC

Public Works Director recommended approval of a two-year Telecommunications Long Distance Services Contract with SBC and authorization for Staff to execute said contract.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 14. Resolution, Setting Population

Development Services Director recommended approval of a resolution setting the population at 46,188 as of December 31, 2003.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

RESOLUTION NO. 2004-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GRAPEVINE, TEXAS, MAKING OFFICIAL THE FINDING AND
DETERMINATION AS TO THE POPULATION AND NUMBER
OF INHABITANTS OF AND WITHIN THE CITY OF

GRAPEVINE, TEXAS, AS OF DECEMBER 31, 2003 AND
PROVIDING AN EFFECTIVE DATE

Item 15. Ordinance, Amend Chapter 17 Peddlers and Solicitors

City Secretary recommended approval of an ordinance amending the Grapevine Code of Ordinances, Chapter 17 Peddlers and Solicitors by adding the definition of peddler.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ORDINANCE NO. 2004-02

AN ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS
AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES,
RELATING TO PEDDLERS AND SOLICITORS; PROVIDING
FOR THE REPEAL OF ALL INCONSISTENT ORDINANCES;
PROVIDING A PENALTY NOT TO EXCEED THE SUM OF
TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED
COMMITTED EACH DAY DURING OR ON WHICH AN
OFFENSE OCCURS OR CONTINUES; PROVIDING A
SEVERABILITY CLAUSE; DECLARING AN EMERGENCY
AND PROVIDING AN EFFECTIVE DATE

Item 16. Award Bid 167-2003 Big Bear Creek Trail Construction Project

Parks & Recreation Director recommended award of Bid 167-2003 Big Bear Creek Trail Construction Project to Reliable Paving in the amount of \$1,465,933.08 for the construction of a concrete hike and bike trail.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

Item 17. Award Bid 177-2004 Pipe, Pipe Fittings and Accessories Annual Contract

Public Works Director recommended award of Bid 177-2004 Pipe, Pipe Fittings and Accessories Annual Contract to the lowest and best bidders meeting specifications: Hughes Supply, Metro Valve & Pipe and Ferguson Waterworks.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as

recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 18. Renew Bid 74-2001 Trees Annual Contract

Parks & Recreation Director recommended renewal of Bid 74-2001 Trees Annual Contract to Unique Landscaping for the purchase and installation of various types of trees.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Item 19. Resolution, Sole Source Provider, Golf Software System

Administrative Services Director recommended approval of a resolution declaring The Golf System, Inc., a sole source provider for the purchase of upgrade software in the amount of \$17,739.00 to the existing municipal golf software system.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

RESOLUTION NO. 2004-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, MAKING FINDINGS OF CERTAIN FACTS RELATIVE TO THE PURCHASE OF UPGRADE SOFTWARE; DETERMINING THAT THE SOFTWARE IS AVAILABLE FROM ONLY ONE SOURCE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACTS AND DOCUMENTS AND PROVIDING AN EFFECTIVE DATE

Item 20. Consideration of Minutes

City Secretary recommended approval of the minutes of the January 6, 2004 City Council meetings as published.

Motion by Council Member Stewart, seconded by Council Member Freed, to approve as recommended prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 21. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU03-44 DAVENPORT MOTORS

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for denial of Conditional Use Application CU03-44 filed by Davenport Motors requesting a conditional use permit for an automotive repair facility on property located at 2421 Ira E. Woods Avenue.

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to accept the Commission's recommendation for denial of the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 22. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU03-54 HAYES TRUCK LEASING

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU03-54 filed by Hayes Truck Leasing granting a conditional use permit to amend the site plan approved by Ordinance No. 99-80 to expand the existing facility, add property to the site for employee parking and the condition that a masonry screening fence be constructed on Nash Street. The subject property is located at 316 East Dallas Road.

Council Member Spencer, seconded by Council Member Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ORDINANCE NO. 2004-03

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU03-54 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 99-80 TO EXPAND THE EXISTING STRUCTURE AND ADD PROPERTY TO THE SITE FOR EMPLOYEE PARKING, IN A DISTRICT ZONED "LI" LIGHT INDUSTRIAL DISTRICT

REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 23. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 1R, BLOCK 1, M & H ADDITION

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 1R, Block 1, M & H Addition. The 3.115 acre property is located south of Dallas Road, north of Nash Street and west of Jean Street. The property is being platted for an additional parking lot.

Council Member Freed, seconded by Mayor Pro Tem Ware, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 1R, Block 1, M & H Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
 Nays: None

ITEM 24. PLANNING & ZONING COMMISSION RECOMMENDATION
ZONING APPLICATION Z03-10 HOUSE OF COLORS

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of Zoning Application Z03-10 filed by the House of Colors granting rezoning of approximately 0.23 acres located at 317 South Church Street from "R-TH" Townhouse District to "CBD" Central Business District.

Council Member Johnson, seconded by Council Member Freed, offered a motion to accept the Commission's recommendation and approve the ordinance granting the rezoning. The motion prevailed by the following vote:

Ayes: Ware, Wilbanks, Johnson, Stewart & Freed
 Nays: Tate and Spencer

ORDINANCE NO. 2004-04

AN ORDINANCE AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE OF GRAPEVINE, TEXAS, GRANTING ZONING CHANGE Z03-10 ON A TRACT OF LAND OUT OF THE WM. DOOLEY SURVEY, ABSTRACT NO. 422, DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "R-TH" TOWNHOUSE DISTRICT TO "CBD" CENTRAL BUSINESS DISTRICT; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 25. PLANNING & ZONING COMMISSION RECOMMENDATION
AMEND GRAPEVINE CODE OF ORDINANCES, APPENDIX D,
COMPREHENSIVE ZONING ORDINANCE NO. 82-73, AS AMENDED,
SECTION 36 "PCD" PLANNED COMMERCE DEVELOPMENT DISTRICT

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the amendments to the Grapevine Code of Ordinances, Appendix D, Comprehensive Zoning Ordinance No. 82-73, as amended, Section 36 "PCD" Planned Commerce Development District relative to signage for hotels in excess of 500 rooms.

Council Member Wilbanks, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
 Nays: None

ORDINANCE NO. 2004-05

AN ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY PROVIDING FOR AMENDMENTS AND CHANGES TO ZONING REGULATIONS BY AMENDING SECTION 36, "PCD" PLANNED COMMERCE DEVELOPMENT DISTRICT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 26. PLANNING & ZONING COMMISSION RECOMMENDATION
PRELIMINARY PLAT LOTS 1 AND 2, BLOCK 1, 121 MEDICAL ADDITION

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the preliminary plat of Lots 1 and 2, Block 1, 121 Medical Addition. The 5.653 acre property is located at the northeast corner of Hughes Road and William D. Tate Avenue and is zoned "CC" Community Commercial District Regulations. The subject property is being platted for the construction of a long-term/acute care facility.

Council Member Stewart, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the preliminary plat of Lots 1 and 2, Block 1, 121 Medical Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed

Nays: None

ITEM 27. PLANNING & ZONING COMMISSION RECOMMENDATION
PRELIMINARY PLAT LOT 1, BLOCK 1, FERGUSON ADDITION

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the preliminary plat of Lot 1, Block 1, Ferguson Addition located north of Dove Road and east of Lonesome Dove Road. The 10.955 acre property is being platted for a single family residence and is zoned "R-20" Single Family District Regulations.

Council Member Wilbanks, seconded by Council Member Johnson, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the preliminary plat of Lot 1, Block 1, Ferguson Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

ITEM 28. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 1, BLOCK 1, FERGUSON ADDITION

Chairman Oliver reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 1, Block 1, Ferguson Addition. The 10.955 acre property is zoned "R-20" Single Family District Regulations. The property is located north of Dove Road and east of Lonesome Dove Road and is being platted for a single family residence.

Council Member Johnson, seconded by Council Member Freed, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 1, Block 1, Ferguson Addition. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

Council returned to Item 6 for discussion and action.


ADJOURNMENT

Council Member Wilbanks, seconded by Council Member Spencer, offered a motion to adjourn the meeting at 8:31 p.m. The motion prevailed by the following vote:

Ayes: Tate, Ware, Spencer, Wilbanks, Johnson, Stewart & Freed
Nays: None

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE,
TEXAS on this the 3rd day of February, 2004.

APPROVED:



William D. Tate
Mayor

ATTEST:



Linda Huff
City Secretary

